1. In a dispute between an Italian national and a company established under Italian law having its registered office in Italy arising from a contract of employment concluded between them which designates Turin as the place of work, is Munich the place where the employee habitually carries out his work under the second half-sentence of Article 5(1) of the Brussels Convention where, from the outset, the contract of employment is temporarily placed on non-active status at the request of the employee and, during that period, the employee carries out work, with the consent of the Italian employer, but on the basis of a separate contract of employment, for a company established under German law at its registered office in Munich, for the duration of which the Italian employer assumes the obligation to provide accommodation in Munich or to bear the costs of such accommodation and to bear the costs of two journeys home each year from Munich to the employee's native country?

2. If the first question is answered in the negative, may the employee, in a legal dispute with her Italian employer arising from the contract of employment, rely, with reference to the payment of rental costs and travel costs for the two journeys home each year, on the argument that the court having jurisdiction is that for the place of performance of the obligation in question, pursuant to the first half-sentence of Article 5(1) of the Brussels Convention?

Reference for a preliminary ruling from the Oberlandesgericht Hamm by order of that court of 15 November 2000 in the case of Deutscher Handballbund e.V. v Maros Kolpak

(Case C-438/00)

(2001/C 61/03)

Reference has been made to the Court of Justice of the European Communities by an order of the Oberlandesgericht (Higher Regional Court) Hamm, Germany, of 15 November 2000, which was received at the Court Registry on 28 November 2000, for a preliminary ruling in the case of Deutscher Handballbund e.V. v Maros Kolpak on the following question:

Is it contrary to Article 38(1) of the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Slovak Republic, of the other part — Final Act — if a sports association applies to a professional sportsman of Slovak nationality a rule it has adopted under which clubs may play in championship and cup matches only a limited number of players who come from third countries not belonging to the European Communities?

Reference for a preliminary ruling by the Tribunale Amministrativo Regionale per il Lazio, Chamber 2b, by judgment of that court of 28 June and 6 July 2000, in the case of Azienda Agricola Giuseppe Cantarello against Azienda di Stato per gli interventi nel mercato agricolo A.I.M.A. and the Ministry for Agricultural Policy

(Case C-451/00)

(2001/C 61/04)

Reference has been made to the Court of Justice of the European Communities by judgment of the Tribunale Amministrativo Regionale per il Lazio, Chamber 2b, of 28 June and 6 July 2000, received at the Court Registry on 8 December 2000, for a the preliminary ruling in the case of Azienda Agricola Giuseppe Cantarello against Azienda di Stato per gli interventi nel mereato agricolo A.I.M.A. and the Ministry for Agricultural Policy on the following questions:

(1) May the provisions contained in Articles 1 and 4 of Council Regulation (EEC) No 3950/92 [1] of 28 December 1992 and Articles 3 and 4 of Commission Regulation (EEC) No 534/93 [2] of 9 March 1993 be interpreted as meaning that it is possible, in the case of Community law proceedings and the subsequent compliance of the Member State to derogate from the time-limits prescribed for the allocation of quotas and the operation of adjustments and levies?

If not,

(2) Are those provisions of Community law valid, in the light of Article 33 (ex 39) of the Treaty, in so far as they do not provide for derogation from the periods prescribed for allocation and adjustments in the abovementioned case of Community law proceedings?

---

[1] OJ L 405 of 31.12.1992, p. 1.
[2] Commission Regulation (EEC) No 536/93 of 9 March 1993 is meant (OJ L 57 of 10.3.1993, p. 12).

Reference for a preliminary ruling by the College van Beroep voor het Bedrijfsleven by decision of that court of 1 November 2000 in the case of Kühne & Heitz N.V. against Produktschap voor Pluimvee en Meren

(Case C-453/00)

(2001/C 61/05)

Reference has been made to the Court of Justice of the European Communities by a decision of the College van Beroep voor het Bedrijfsleven (Administrative Court for Trade and Industry) of 1 November 2000, which was received at the Court Registry on 11 December 2000, for a preliminary ruling in the case of Kühne Heitz N.V. v Produktschap voor Pluimvee en Eieren on the following question: